

SECTION F: DELIVERIES OR PERFORMANCE**ITEM 0001, and if exercised, OPTION ITEM(S) 0008, 0015 and 0022**

The Contractor shall deliver the ship(s) fully outfitted in accordance with this contract, and after successful trials, ready to receive cargo and crew, and with approvals and certifications in place as required. The ship(s), when delivered, shall be at a draft and trim condition which is within the limiting requirements for full load condition. Where ballast water is necessary, the delivery condition shall be achieved through the use of either clean sea water or fresh water ballast or both, but the quantity shall not exceed the ship(s) normal ballast capacity unless specifically approved by the CONREP. Polluted or silt carrying water, such as harbor or river water, shall not be used to achieve the delivery condition of the ship. The Contractor shall ensure that the delivery condition is restored in accordance with the above criteria where it becomes necessary to obtain a differing temporary condition to clear an obstruction (low bridge, shallow draft, narrow beam clearance, etc.) on the way to open ocean. Great Lakes offerors will be required to deliver the vessel prior to the close of the St. Lawrence Seaway in time for the Government to make the exit transit, where delivery is required during December and January. In addition, when delivery is required from a Great Lakes offeror during February, March or April, the vessel(s) will be delivered within two weeks of the opening of the Seaway.

The ship(s) shall be delivered in accordance with the following schedule:

<u>ITEM</u>	<u>FY</u>	<u>Months After Contract (MAC) Award (Basic)</u>
0001	00	[Modification 0031]January 5, 2005[Modification 0031]

If alternative options are exercised, delivery shall be in accordance with the following schedule:

<u>ALTERNATIVE</u>				
<u>ITEMS</u>		<u>FY</u>	<u>Months After Option (MAO) Award</u>	
ALT. A -	0008	01	<u>32</u>	MAO*
ALT. B -	0008	02	<u>32</u>	MAO*
ALT. C -	0008	03	<u>32</u>	MAO*
ALT. D -	0008	01	<u>32</u>	MAO*
	0015	01	<u>32</u>	MAO*
ALT. E -	0008	02	<u>32</u>	MAO*
	0015	02	<u>32</u>	MAO*
ALT. F -	0008	03	<u>32</u>	MAO*
	0015	03	<u>32</u>	MAO* (continued on next page)

continuation:

ALTERNATIVE		FY	<u>Months After Option (MAO) Award</u>	
<u>ITEMS</u>				
ALT. G -	0008	01	<u>32</u>	MAO*
	0015	01	<u>32</u>	MAO*
	0022	01	<u>32</u>	MAO*
ALT. H -	0008	02	<u>32</u>	MAO*
	0015	02	<u>32</u>	MAO*
	0022	02	<u>32</u>	MAO*
ALT. I -	0008	03	<u>32</u>	MAO*
	0015	03	<u>32</u>	MAO*
	0022	03	<u>32</u>	MAO*
ALT. J -	0015	02	<u>32</u>	MAO*
ALT. K -	0015	03	<u>32</u>	MAO*
ALT. L -	0015	02	<u>32</u>	MAO*
	0022	02	<u>32</u>	MAO*
ALT. M -	0015	03	<u>32</u>	MAO*
	0022	03	<u>32</u>	MAO*
ALT. N -	0022	02	<u>32</u>	MAO*
ALT. O -	0022	03	<u>32</u>	MAO*
ALT. P -	0015	04	<u>32</u>	MAO*
ALT. Q -	0015	04	<u>32</u>	MAO*
	0022	04	<u>32</u>	MAO*
ALT. R -	0022	04	<u>32</u>	MAO*
ALT. S -	0022	05	32	MAO*

*To be filled in by Offeror. If these options are exercised, delivery shall be a minimum of 26 months and no longer than 32 months after option exercised date. Delivery period and schedule for the various option configurations are to be presented as part of the Offeror's proposal.

If exercised, OPTION ITEM(S) 0002, 0009, 0016 and 0023

Additional Repair Parts, Spares, Special Tools, and Support and Test Equipment. The Contractor shall deliver all additional repair parts, spares, special tools, and support and test equipment prior to ship delivery in accordance with the FRV-40 Technical Package (TP).

If exercised, OPTION ITEM(S) 0003, 0010, 0017 and 0024

Outfitting Material. The Contractor shall deliver all outfitting material prior to ship delivery in accordance with the TP.

ITEM 0004, and if Option Alternatives A thru S are exercised, ITEM(S) 0011, 0018 and 0025

Logistical Documentation. Logistical documentation shall be delivered in accordance with the applicable Data Requirements List (DRL), Exhibit B of this contract.

As ordered, OPTION ITEM(S) 0005, 0012, 0019 and 0026

Additional Government Requirements. The Additional Government Requirements effort shall be performed and delivered in accordance with orders issued pursuant to the clause entitled "ORDERING ITEMS" in Section C of this contract.

As ordered, OPTION ITEM(S) 0006, 0013, 0020 and 0027

Special Studies. The Contractor shall deliver Special Studies in accordance with orders issued pursuant to the clause entitled "ORDERING ITEMS" in Section C of this contract.

ITEM 0007 and if Option Alternatives A thru S are exercised, ITEMS(S) 0014, 0021 and 0028

Crew Familiarization. The Contractor shall provide Crew Familiarization between trials and delivery of the ships(s) under Items 0001, and if exercised, Items 0008, 0015 and 0022.

LIQUIDATED DAMAGES FOR LATE DELIVERY

The provisions for liquidated damages under the clause of this contract entitled "LIQUIDATED DAMAGES--SUPPLIES, SERVICES, OR RESEARCH AND DEVELOPMENT (APR 1984)" will be enforced for late delivery of Item 0001, and if exercised Items 0008, 0015, and 0022 only under the following circumstances:

- (1) the event giving rise to the delivery delay occurs within 180 days prior to the contract delivery schedule date, and
- (2) the delay is not excusable, as determined by the Contracting Officer.

Further, the computation of any amount of liquidated damages payable by the Contractor shall be limited to the number of days of vessel charter services obtained by the Government as a direct result of delivery delay(s) hereunder, up to a maximum amount of \$1,000,000.00 per vessel. This provision applies only to the "vessel" line items 0001, and if exercised, 0008, 0015 and 0022.

SECTION F: CLAUSES INCORPORATED BY REFERENCE

FAR

<u>SOURCE</u>	<u>TITLE AND DATE</u>
52.211-11	LIQUIDATED DAMAGES--SUPPLIES, SERVICES, OR RESEARCH AND DEVELOPMENT (APR 1984) Insert in paragraph (a): "\$10,000.00 per day"
52.242-15	STOP-WORK ORDER (AUG 1989)
52.247-29	F.O.B. ORIGIN (JUN 1988)
52.247-55	F.O.B. POINT FOR DELIVERY OF GOVERNMENT-FURNISHED PROPERTY (APR 1984)
52.247-65	F.O.B. ORIGIN, PREPAID FREIGHT--SMALL PACKAGE SHIPMENTS (JAN 1991)
52.247-34	F.O.B. DESTINATION (NOV 1991)
52.247-48	F.O.B. DESTINATION--EVIDENCE OF SHIPMENT (APR 1984)